IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.4277 of 2007

Dated: October 6, 2007

Between:

Ravuri Lakshminarayana, S/o. Lakshmaiah,
Male, Hindu, age: 45 years, Occ: Business,
R/o. Martur (V&M), Prakasam District,
Rep. by his General Power of Attorney holders
Smt. Bandaru Padma and Puvvada Anantha Siva
Koteswara Rao, and another.

… Petitioners

And

The Sub Registrar, Addanki, Prakasam District,
And another.

… Respondent

Order:

This writ petition has been filed seeking Mandamus to declare the action of the first respondent in refusing to accept the document in presented by petitioners in respect of land covered by Sy.No.1904/5 of South Addanki village, basing on letter dated 19-12-2006 addressed by the second respondent, as illegal and arbitrary.

2. Heard learned counsel for the petitioner, learned Government Pleader for Revenue for the first respondent and Sri M.S.N. Prasad for the second respondent.

3. Petitioners claim to be owners and possessors of land covered by Sy.No.1904/5 of South Addanki village, Prakasam District. It is stated that as they are the owners of the said land, they decided to divide the same. It is stated that after division, 30 plots each have fallen to the share of the petitioners. It is stated that first petitioner sold 23 out of 30 plots and likewise second petitioner sold 29 plots out of 30 to various parties and no objection whatsoever was raised for registration. Petitioners' grievance is that when they wanted to sell the remaining plots, first respondent refused to accept the sale deeds presented for registration in view of the letter dated 19-12-2006 addressed to him by the second respondent.

4. Except the allegation of petitioners in their affidavit that first respondent has refused to accept the sale deeds, there is no other proof. Whenever documents are presented for registration, the registering authority is bound to receive the same and cannot refuse to receive at the threshold. However, the authority is entitled to raise any objections for the documents to be registered and should give reasons for declining to register the documents in view of the provisions of Section 71 of the Registration Act, 1908.

5. As much as petitioners allege that the documents presented by them are not being received by the first respondent, I dispose of the writ petition directing the first respondent to receive the documents which are proposed to be presented by the petitioners for registration and consider the same in accordance with the provisions of the

Registration Act, 1908 ('the Act' for brevity) and the rules made thereunder. It is clarified that if there are any objections for registering the said documents, it is open for him to make an endorsement to that effect, record reasons and communicate the same to the petitioners as per Section 71 of the Act. No order as to costs.

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JUSTICE R. SUBHASH REDDY.

October 6, 2007
MRR